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DETAILED ACTION

Status of Objections and Rejections

1. Amendment filed in the paper of 3/5/2010 is entered.
2. All objections and rejections are withdrawn in light of claim amendment filed in the paper of 3/5/2010 and examiner's amendment as set forth below.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Schulman (Reg. No. 31,196) on 8/3/2010.

In the claims:

Claim 16. (amended) A method of producing an [Arabidopsis] Arabidopsis, [Brassica] Brassica or tobacco plant tolerant to high light stress conditions, comprising the steps of:

(a) [providing] transforming plant cells from an [Arabidopsis] Arabidopsis, [Brassica] Brassica or tobacco plant with a chimeric gene to create transgenic plant cells, said chimeric gene comprising in sequence the following operably linked DNA fragments:

(i) a plant-expressible promoter;

(ii) a DNA region, which when transcribed yields a ParG inhibitory RNA molecule, said ParG inhibitory RNA molecule comprising a sense nucleotide sequence of at least 163 consecutive nucleotides of a coding region comprising the nucleotide

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sequence of SEQ ID No: [.] 3 from the nucleotide at position 973 to the nucleotide at position 1135 and said ParG inhibitory RNA molecule further comprising an antisense nucleotide sequence of at least 163 consecutive nucleotides of said coding region, wherein said sense and antisense nucleotide sequences are capable of forming a double stranded RNA region comprising said at least 163 consecutive nucleotides; and

(iii) a 3' end region involved in transcription termination and polyadenylation;

(b) regenerating a population of transgenic plant lines from said transgenic plant cells wherein said chimeric gene is transcribed to yield said ParG inhibitory RNA molecule; and

(c) identifying a plant line within said population of transgenic plant lines, which is tolerant to high light stress conditions as compared to an [Arabidopsis] Arabidopsis, [Brassica] Brassica, or tobacco plant that does not comprise said chimeric gene.

4. Applicant authorized amendments to claim 16 to obviate potential issues under 35 U.S.C. 112, 2nd paragraph.

Conclusions

5. Claim 16 is allowed.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vinod Kumar whose telephone number is (571) 272-4445.

The examiner can normally be reached on 8.30 a.m. to 5.00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anne Marie Grunberg can be reached on (571) 272-0975. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Vinod Kumar/

Primary Examiner, Art Unit 1638